

AN ORDINANCE

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

02-0-0324

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE CLAIM OF SUSAN CHANA ELLIOTT IN AN AMOUNT NOT TO EXCEED \$3,115.80; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; TO WAIVE CITY OF ATLANTA CODE OF ORDINANCES SECTIONS 2-4 AND 2-783 FOR THIS INSTANCE ONLY; AND FOR OTHER PURPOSES.

WHEREAS, SUSAN CHANA ELLIOTT has filed a claim against the City of Atlanta seeking reimbursement for damages sustained to her vehicle; and

WHEREAS, Susan Chana Elliott allege that she has suffered financial losses for vehicular damage due to an automobile collision between her vehicle and a sanitation vehicle; and

WHEREAS, Darren Welch, while on duty as a driver of a sanitation vehicle for the City of Atlanta, and while operating a vehicle owned by the City of Atlanta, was ticketed for and subsequently plead Nolo Contendere to the traffic charge of "improper backing" which precipitated the collision with Claimant's vehicle; and

WHEREAS, the Claimant has agreed to accept \$3,115.80 as full settlement of all claims against the City of Atlanta and/or its agents; and

WHEREAS, the City Attorney has done an extensive review of the facts and the law and has determined that the City's potential financial exposure in defending this claim is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$3,115.80 to settle all claims,